ALC

Provincial Agricultural Land Commission

ANNUAL REPORT 2015-2016

JUNE 30, 2016

www.alc.gov.bc.ca

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June 30, 2016

Honourable Norm Letnick
Minister of Agriculture
Parliament Buildings
Victoria, BC V8V 1X4

Dear Minister:

I respectfully submit the Annual Report for the Provincial Agricultural Land Commission for the period April 1, 2015 to March 31, 2016.

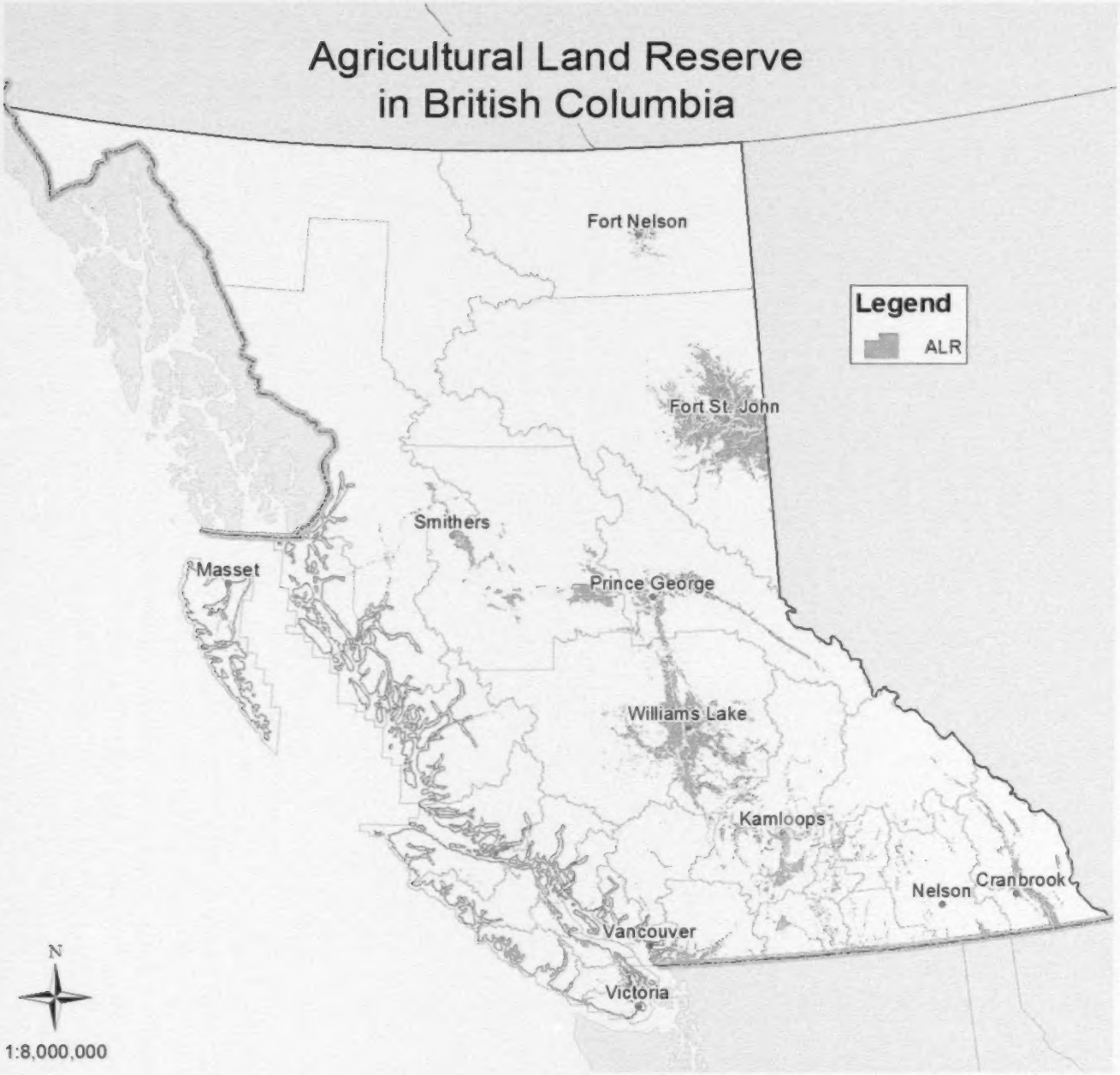
Yours truly,

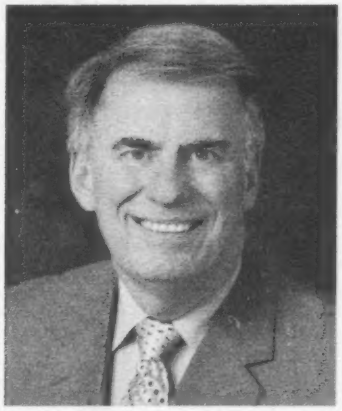
PROVINCIAL AGRICULTURAL LAND COMMISSION

Frank Leonard.

Frank Leonard, Chair

Published by the
Provincial Agricultural Land Commission
#133-4940 Canada Way Burnaby, BC





Frank Leonard

Message from the Chair

I was appointed to Chair of the Agricultural Land Commission in May 2015 and one of my first key tasks was to separate the Chair and Chief Executive Officer positions. We immediately embarked on a recruiting process and in December Kim Grout joined our team as CEO. Kim is highly experienced in local government and is both a Professional Agrologist and a Registered Professional Planner.

Continuing on the theme of change, the Provincial Government passed amended regulations during 2015 following the Ministry of Agriculture's 2014 regulation consultation process. Amendments included adding medical marihuana as a permitted farm use, provisions for cooperative farm associations to carry out processing and retailing, the possibility of operating a brewery, distillery or meadery and the ability to lease portions of a farm parcel for farm purposes. Additional amendments were made related to residential uses in both Zone 1 and 2 of the ALR.

In response to the new regulations, the ALC embarked on a review of its interpretive policies. The Commission substantially completed the review and released 24 new and amended policies in early 2016.

Another substantive change was the switch to an online electronic application submission process. After years of work, the Application Portal was launched in July 2015. The Application Portal provides a streamlined web-based application process for applicants, local governments and the public.

During this year, Commission panels have been working in their regions carrying out onsite visits, deciding applications and meeting with local governments. The Commission Executive Committee met regularly throughout the year to deal with reconsideration applications, to discuss policy issues and matters of provincial importance.

I am pleased to advise that Commissioners and staff of the Commission continue to adapt to best serve the mandate to protect agricultural land and encourage farming in BC.

2015/16 ALC Annual Report

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Mission and Purpose

The mission of the Agricultural Land Commission (ALC) is to preserve agricultural land and encourage and enable farm businesses throughout British Columbia.

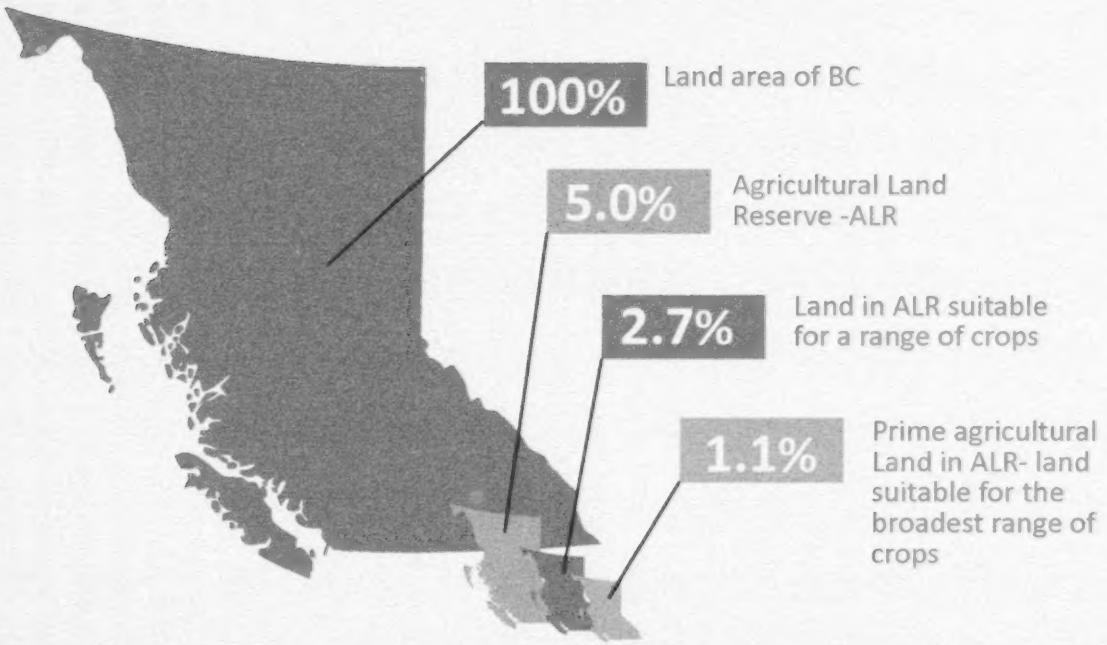
The ALC is the provincial agency responsible for administering the Agricultural Land Reserve (ALR), a provincial land use zone designated for agriculture. The purposes of the ALC as set out in Section 6 of the *Agricultural Land Commission Act (ALCA)* are:

(a) to preserve agricultural land;

(b) to encourage farming on agricultural land in collaboration with other communities of interest; and

(c) to encourage local governments, First Nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.

The Agricultural Land Commission Act (ALC Act) sets out processes for the inclusion or exclusion of land to and from the ALR and for non-farm use and subdivision of land within the ALR. The *ALC Act* is supported by the Agricultural Land Reserve Use, Subdivision and Procedure Regulation (BC Regulation 171/2002), which provides procedures for applications and defines permitted land uses and subdivisions within the ALR.


100%
Land area of BC
5.0%
Agricultural Land Reserve -ALR
2.7%
Land in ALR suitable for a range of crops
1.1%
Prime agricultural Land in ALR- land suitable for the broadest range of crops

The ALC – An Administrative Tribunal

The ALC is an independent quasi-judicial tribunal established by the Provincial government under the *Agricultural Land Commission Act.* As an administrative tribunal, the ALC functions at arm's length from government and exercises its role in a non-partisan and impartial manner.

Appointments to the positions of Chair and Vice Chair are by Order-in-Council. Commission Members are appointed by Ministerial Order. Candidates for appointment are chosen for their knowledge in matters related to agriculture, land use planning, local government and first nations government as set out in section 5(1) of the *ALC Act.*

The ALC performs a wide range of functions, including application adjudication/decision-making, research and analysis, policy research and development, hearing of appeals and compliance and enforcement activities.

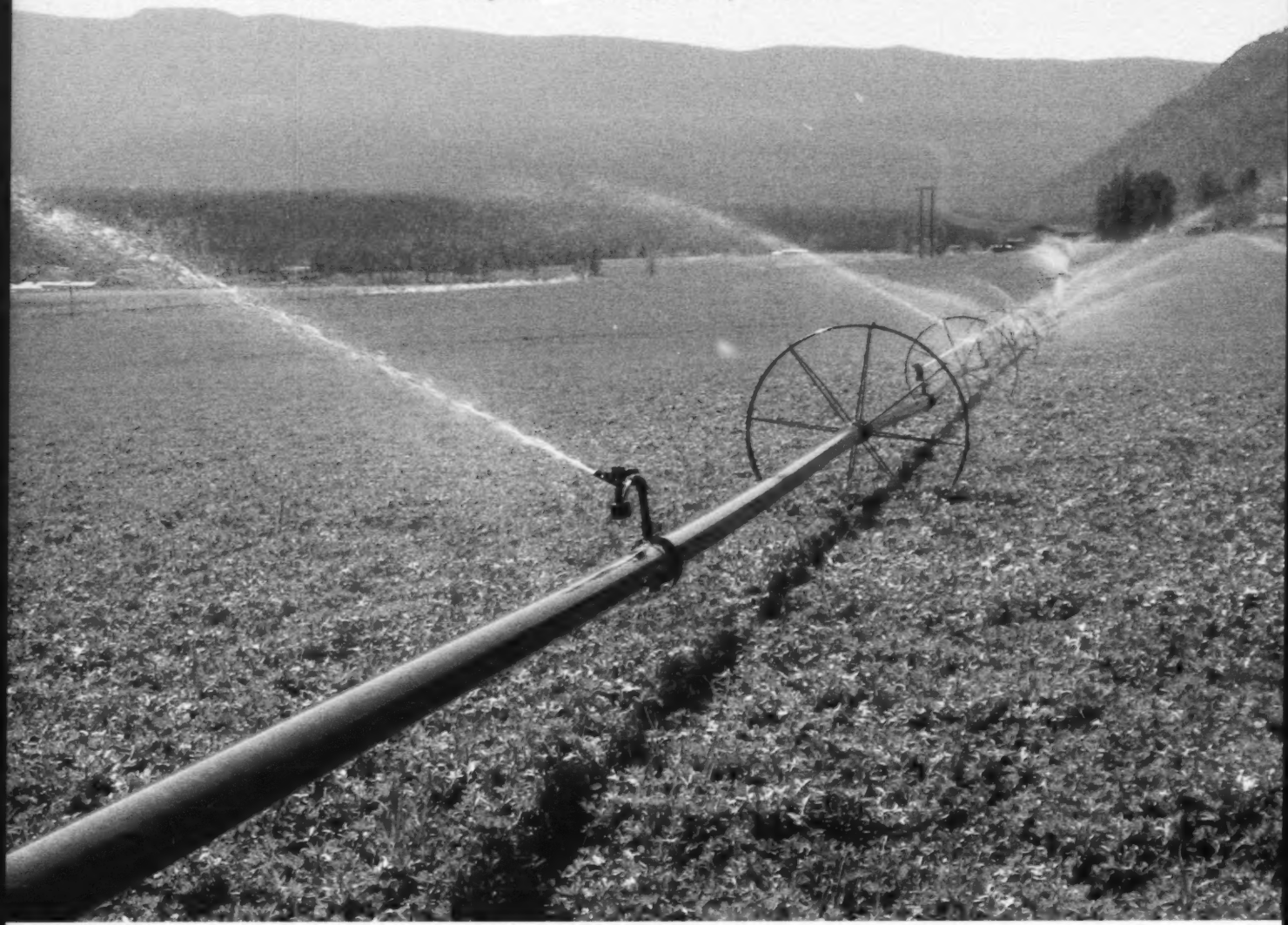
The ALC considers applications under the *ALC Act* on their individual merits.

Portions of the *Administrative Tribunal Act* apply to the ALC as set out in the *Agricultural Land Commission Act.*

Commission Office

The business of the Commission is carried out through four functional areas.

- **Land Use Planning and Application Processing:** Staff research and administer all applications submitted pursuant to the *ALC Act* and regulation. In addition, they also review plans and bylaws of local governments and other agencies to ensure that the ALR is properly identified and that the policies support and encourage the objectives of the *ALC Act* and Regulations.
- **Compliance and Enforcement:** The ALC has a legislative mandate to ensure activities in the ALR are consistent with the *ALC Act*, regulations and orders of the ALC.
- **Strategic Planning and Corporate Policy:** Staff actively participates with Commissioners in developing strategies, plans and policies to achieve its mandate. Staff also participates in planning and policy initiatives of other ministries, agencies and local governments. Interpretation of the Act and regulations is a regular part of business.
- **Administration and Information Systems:** The previous three functions are supported by an administration, records management and information systems unit.



ALR Zones

The *Agricultural Land Commission Act* establishes two ALR zones, each comprised of three of the six ALR panel regions.

Zone 1 (South Coast, Island, Okanagan)

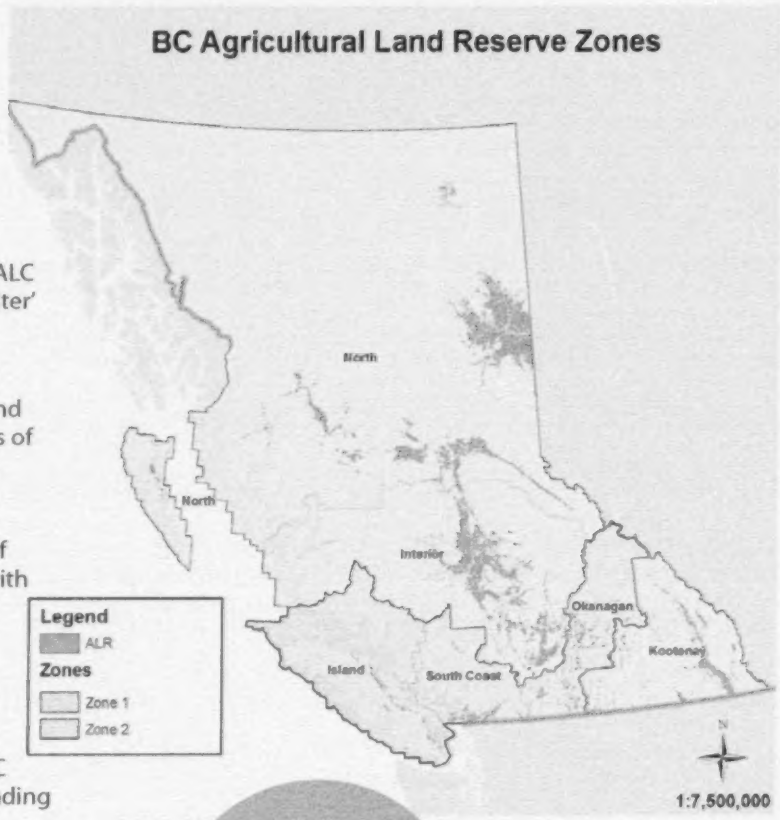
In Zone 1, the purposes in Section 6 of the ALC Act are considered the basis and primary 'filter' for assessing all proposed applications.

(a) to preserve agricultural land;
(b) to encourage farming on agricultural land in collaboration with other communities of interest;
(c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies

Zone 2 (Kootenays, Interior, North)

When exercising a power under the *ALC Act* in relation to land located in Zone 2, the ALC must consider all of the following, in descending order of priority as per Section 4.3.

(a) the purposes of the commission set out in Section 6 of the Agricultural Land Commission *Act*;
(b) economic, cultural and social values;
(c) regional and community planning objectives;
(d) other prescribed considerations.



90%
of the ALR is in Zone 2

	Region	ALR Area hectares	Percent ALR Area	Percent in Each Zone
Zone 1	Okanagan	224,977	5%	**10%**
	Island	116,207	2%	
	South Coast	148,207	3%	
Zone 2	Interior	1,528,968	33%	**90%**
	Kootenay	392,557	8%	
	North	2,210,783	49%	
	Total	**4,621,699**	**100%**	

The Commission

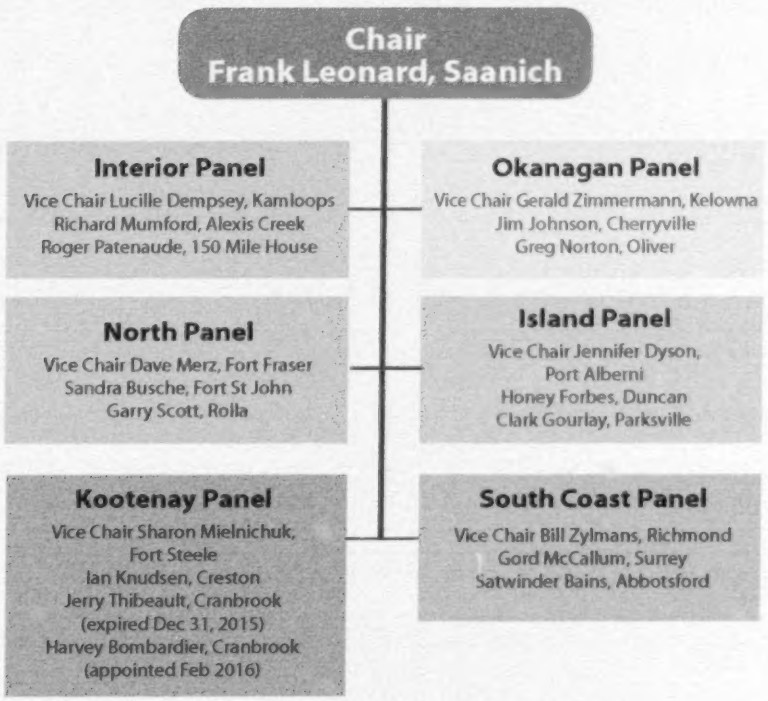
The ALC is administered by a government-appointed Commission consisting of a Chair, 6 Vice-Chairs and 12 members who represent six geographic regions that reflect the varied geography and agricultural areas of the province. Commissioners are appointed from the regions and are selected for their relevant backgrounds and expertise.

The work of the ALC is carried out by a body of appointed Commissioners. The appointed Commissioners are the Board of Directors of the ALC which is supported by a small professional staff.

All members form the full Commission which carries out a variety of duties including development of policies governing the Commission, passing resolutions and bylaws regarding the conduct of its affairs, recommend legislative and regulatory changes to government, determining the ALR boundary, approving strategic and business planning initiatives, developing and passing policies, ensuring local government land use planning is compatible with the ALR and considering issues of provincial importance.

The Commission (including Full Commission, Executive Committee and Panels) met 77days in fiscal year 2015/16.

Commission Structure



Commission Operations

Regional Panels

The Commission operates with six regional panels that include members from the regions where they are making application decisions. Each panel includes a Vice Chair and two members. Commissioners are appointed by government to carry out the mandate as set out in the *Agricultural Land Commission Act* and the Agricultural La. . Reserve Use, Subdivision and Procedure Regulation.

Panels are responsible for:

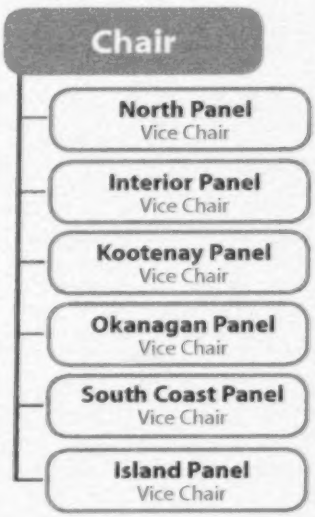
- Decisions on applications;
- Land use plan and bylaw reviews;
- Site visits; and
- Meeting with individuals, local governments, farm organizations and other government representatives.

Panels have the powers, duties and functions of the Commission related to applications. Decisions of a panel are final and may be reconsidered as per section 33(1) of the ALCA. The work of panels is directed by the Chair of the Commission.

Executive Committee

The ALC Executive, consisting of the ALC Chair and 6 regional panel Vice Chairs, are responsible for:

- Deciding applications referred by the Chair under section 11.1 of the *ALC Act*
- Deciding applications referred by a regional panel
- Making reconsideration determinations on reconsiderations pursuant to section 33(1) and section 33.1 of the *ALC Act*; and
- Exercising any other functions delegated by the Commission



BC Agricultural Land Reserve
Panel Regions
Legend
Regional Districts
Interior
Island
Kootenay
North
Okanagan
South Coast
Stikine
Northern Rockies
Kitimat-
Stikine
Peace River
Bulkley-
Nechako
Fraser-
Fort-George
Skeena-
Queen Charlotte
Central
Coast
Cariboo
North
Okanagan
Columbia
Shuswap
Thompson-
Nicola
Mount
Waddington
Squamish-
Lillooet
Central
Kootenay
East
Kootenay
Fraser
Valley
Strathcona
Powell River
Comox Valley
Sunshine Coast
Alberni-Clayoquot
Cowichan
Valley
Nanaimo
Capital
Greater
Vancouver
Okanagan-
Similkameen
Central
Okanagan
Kootenay
Boundary
N
1:7,500,000

Interior Panel

The Interior Panel region extends from the Central Coast (Bella Coola Valley) to the community of Chase at the western end of Shuswap Lakes, encompassing cattle ranching in the Cariboo and Thompson-Nicola Regional Districts. The region is dominated by BC's interior plateau and characterized by dry grasslands and forested parklands. The region includes the Central Coast, Cariboo, Squamish-Lillooet (Lillooet area only) and Thompson-Nicola Regional Districts.

Settlements:

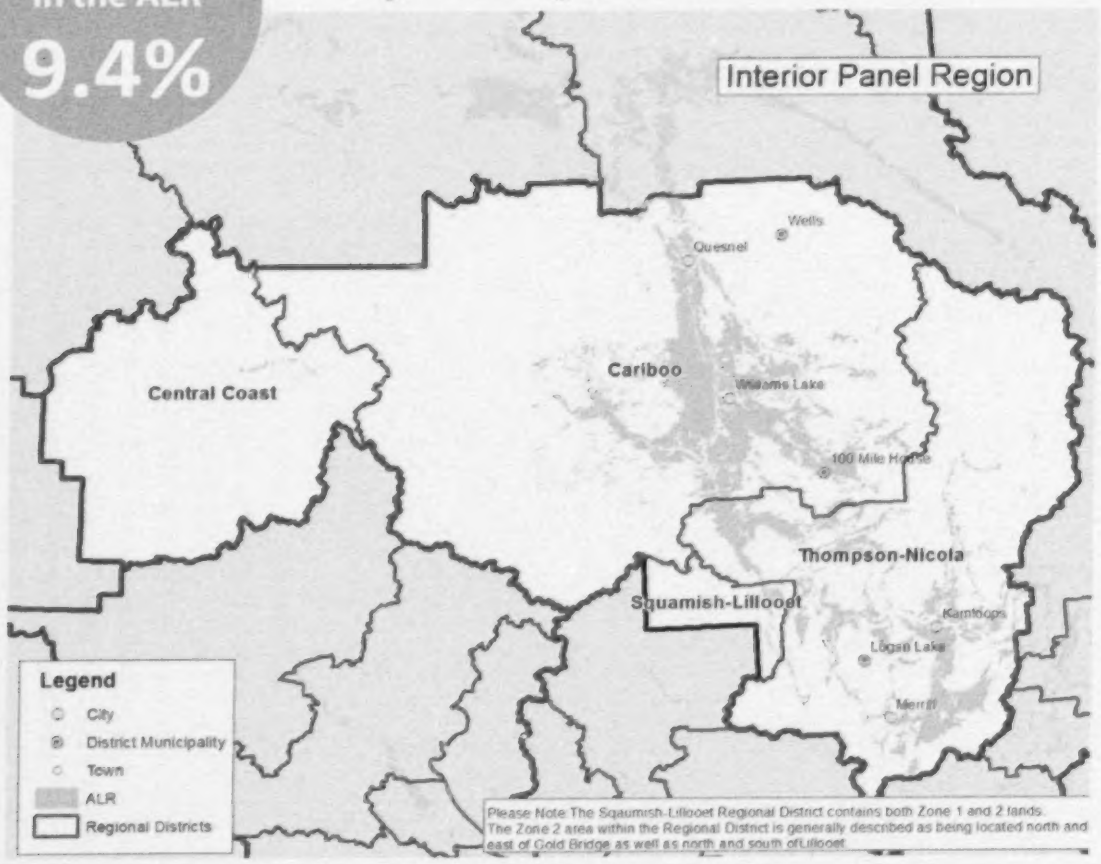
- Merritt
- Kamloops
- 100 Mile House
- Williams Lake
- Bella Coola
- Quesnel

Percent of region in the ALR

9.4%

Total ALR area in panel region

1,529,000 hectares



Interior Panel

April 1, 2015 - March 31, 2016

Number of Applications Decided by Component Type (Includes All Types of Decisions)

	APPROVED WITHOUT CONDITIONS	APPROVED WITH CONDITIONS	REFUSED	2015/16 TOTAL DECISIONS
Exclusion	-	-	2	2
Inclusion	1	-	-	1
Non-Farm use	2	4	-	6
Subdivision	-	6	15	21
Place Fill & Remove Soil	1	5	-	6
Transportation, Utility & Recreation	6	5	-	11
TOTAL	**10**	**20**	**17**	**47**

Hectares Included and Excluded

	REFUSED	APPROVED	
		Conditional	Final
Inclusion Area	-	-	8
Exclusion Area	31	-	-

Hectares Included by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	8	-	-	8	-
Conditional Approval	-	-	-	-	-
Total	**8**	-	-	**8**	-

Hectares Excluded by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	-	-	-	-	-
Conditional Approval	-	-	-	-	-
Total	-	-	-	-	-

Plans and Bylaws Reviewed Interior Panel Area

CATEGORY	AREA	NUMBER
Growth Strategies/ Official Community Plans	District of 100 Mile House OCP District of Clearwater OCP	2
Implementing Bylaws	District of 100 Mile House Zoning Bylaw	1
Other Land Use Plans	City of Kamloops Southwest Sector Boundary Extension	1
TOTAL		4

Island Panel

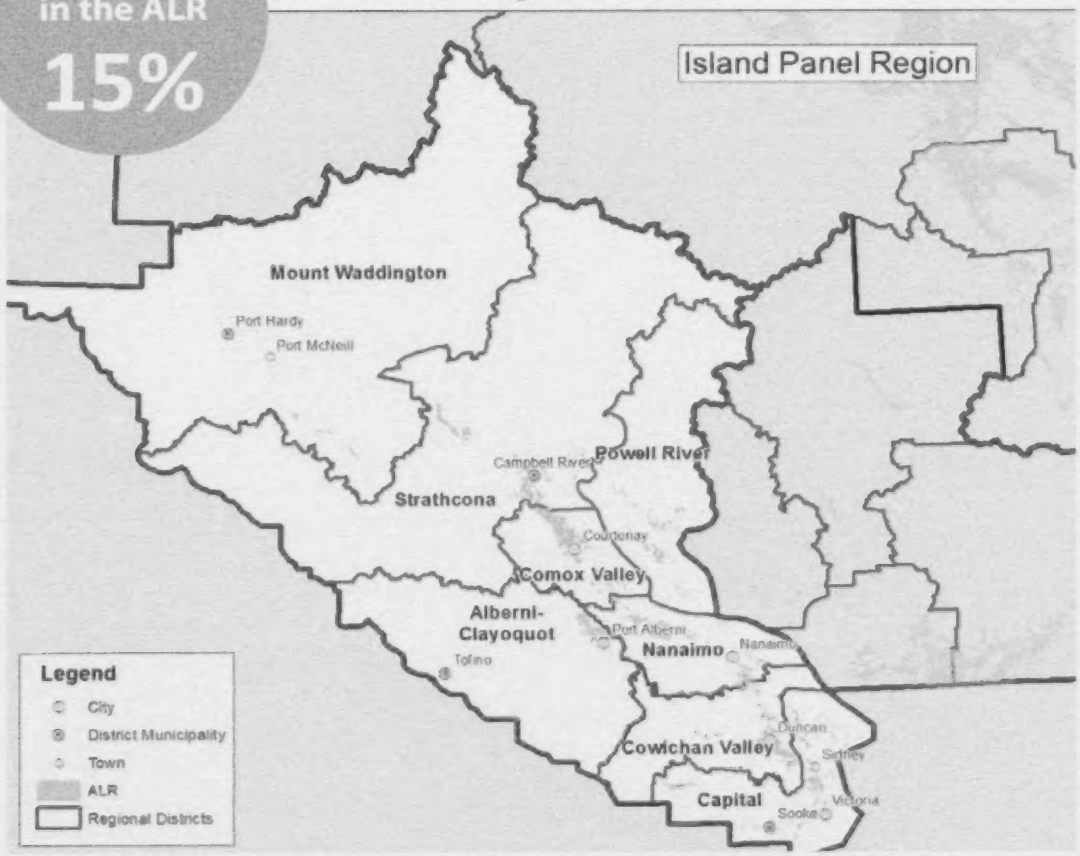
The Island Panel region encompasses Vancouver Island, most of the Gulf Islands and a number of coastal mainland areas that are part of Regional Districts headquartered on Vancouver Island or are more readily accessed from the Island than from mainland centers. The region includes the Alberni-Clayoquot, Capital, Comox Valley, Cowichan Valley, Mount Waddington, Nanaimo, Powell River and Strathcona Regional Districts.

Settlements:

- Saanich
- Duncan
- Nanaimo
- Port Alberni
- Comox
- Court nay
- Campbell River
- Powell River

Percent of region in the ALR
15%

Total ALR area in panel region
115,000 hectares



Island Panel

April 1, 2015 - March 31, 2016

Number of Applications Decided by Component Type (Includes All Types of Decisions)

	APPROVED WITHOUT CONDITIONS	APPROVED WITH CONDITIONS	REFUSED	2015/16 TOTAL DECISIONS
Exclusion	3	2	1	6
Inclusion	2	-	1	3
Non-Farm use	6	7	4	17
Subdivision	-	12	10	22
Place Fill & Remove Soil	-	1	-	1
Transportation, Utility & Recreation	2	9	1	12
TOTAL	**13**	**31**	**17**	**61**

Hectares Included and Excluded

	REFUSED	APPROVED	
		Conditional	Final
Inclusion Area	15	-	5
Exclusion Area	3	4	6

Hectares Included by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	5	-	1	4	-
Conditional Approval	-	-	-	-	-
Total	**5**	**-**	**1**	**4**	**-**

Hectares Excluded by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	6	2	4	-	-
Conditional Approval	4	3	1	-	-
Total	**10**	**5**	**5**	**-**	**-**

Plans and Bylaws Reviewed Island Panel Area

CATEGORY	AREA	NUMBER
Growth Strategies/ Official Community Plans	Capital Regional District - Regional Sustainability Strategy (Growth Strategy)	1
Implementing Bylaws	Alberni Clayoquot Regional District Bylaw Gabriola Island Bylaw Lasqueti Island Bylaw Regional District of Nanaimo Bylaw Regional District of Nanaimo Bylaw Gambier Island Bylaws	10
TOTAL		**11**

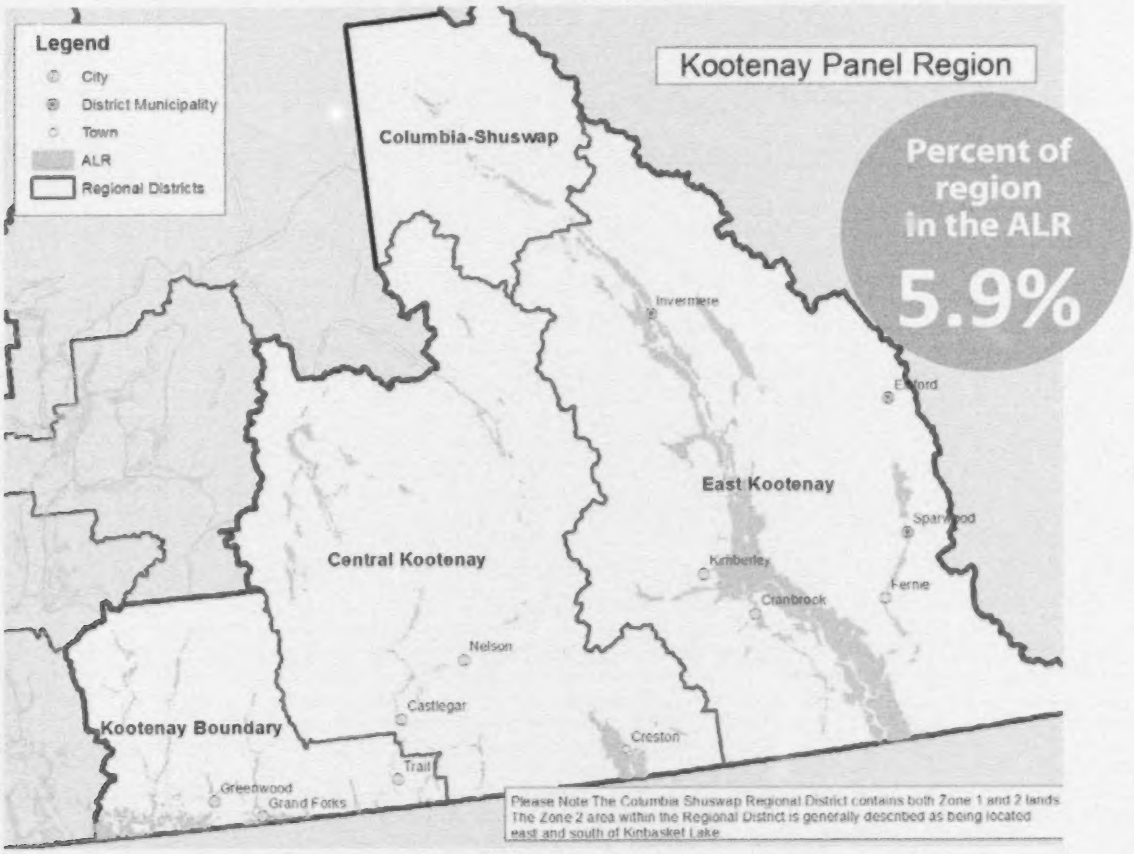
Kootenay Panel

The Kootenay Panel region encompasses the southeasterly portion of BC extending from the BC/ Alberta border in the east to the Grand Forks and Kootenay Boundary area in the west. The region includes the Central Kootenay, East Kootenay and Kootenay Boundary Regional Districts and a portion of the Columbia Shuswap Regional District (Golden area only).

Settlements:

- Sparwood
- Cranbrook
- Kimberly
- Invermere
- Creston
- Grand Forks

Total ALR area in panel region **391,000** **hectares**



Kootenay Panel

April 1, 2015 - March 31, 2016

Number of Applications Decided by Component Type (Includes All Types of Decisions)

	APPROVED WITHOUT CONDITIONS	APPROVED WITH CONDITIONS	REFUSED	2015/16 TOTAL DECISIONS
Exclusion	5	1	-	6
Inclusion	1	-	-	1
Non-Farm use	5	4	3	12
Subdivision	-	18	5	23
Place Fill & Remove Soil	-	1	-	1
Transportation, Utility & Recreation	3	1	-	4
TOTAL	**14**	**25**	**8**	**47**

Hectares Included and Excluded

	REFUSED	APPROVED	
		Conditional	Final
Inclusion Area	-	-	7
Exclusion Area	-	57	32

Hectares Included by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	7	-	7	-	-
Conditional Approval	-	-	-	-	-
Total	**7**	**-**	**7**	**-**	**-**

Hectares Excluded by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	32	-	18	14	-
Conditional Approval	57	-	57	-	-
Total	**89**	**-**	**75**	**14**	**-**

Plans and Bylaws Reviewed Kootney Panel Area

CATEGORY	AREA	NUMBER
Growth Strategies/ Official Community Plans	Regional District of East Kootenay Electoral Area B and E - in conjunction with ongoing Boundary review project	2
Implementing Bylaws	Regional District of East Kootenay Wycliffe Zoning Bylaw 2642 and Zoning Bylaw 2316-AG2	2
Delegation Agreement	Initiated review of lapsed delegation agreements for potential revision and re-implementation	2
TOTAL		**6**

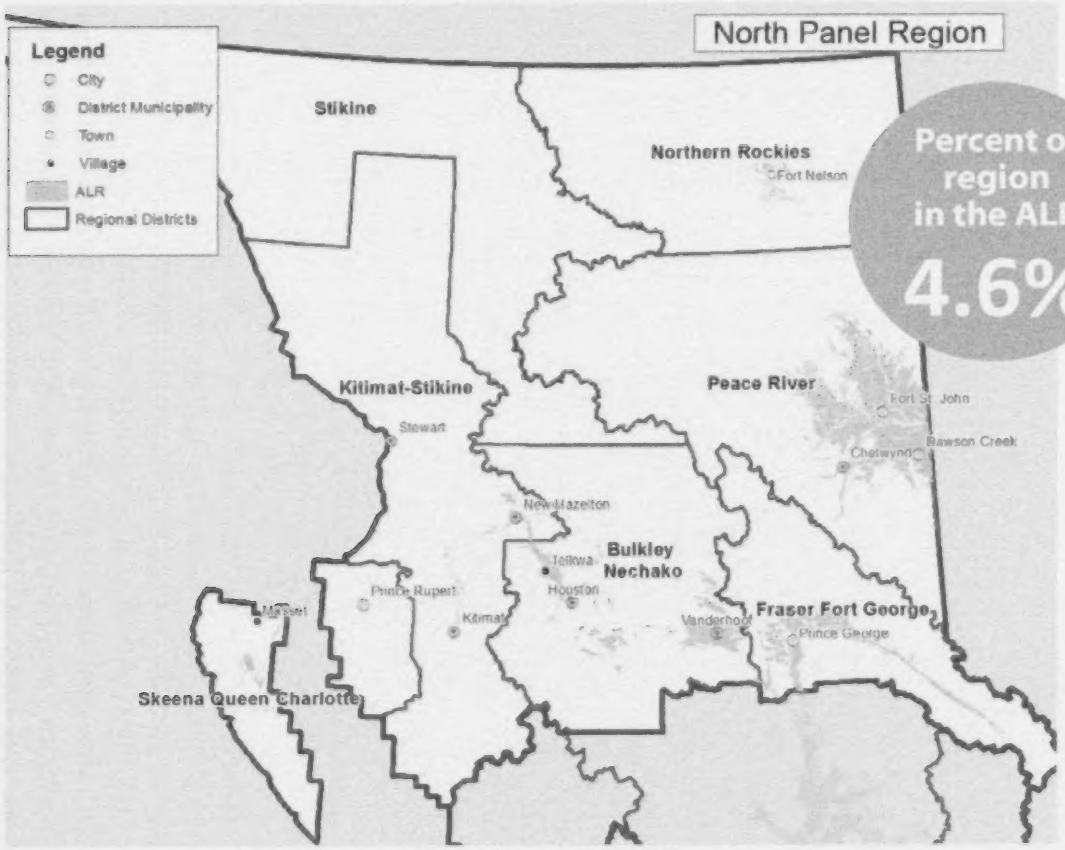
North Panel

The North Panel region encompasses north east, north central and north west BC, from Prince George, north east and west. The region includes the Bulkley-Nechako, Fraser-Fort George, Kitimat-Stikine, Peace River and Skeena-Queen Charlotte Regional Districts and the Northern Rockies Regional Municipality.

Settlements:

- Prince George
- Vanderhoof
- Telkwa
- Terrace
- Fort St John
- Dawson Creek
- Fort Nelson
- Smithers

Total ALR area in panel region 2,207,000 hectares



North Panel

April 1, 2015 - March 31, 2016

Number of Applications Decided by Component Type (Includes All Types of Decisions)

	APPROVED WITHOUT CONDITIONS	APPROVED WITH CONDITIONS	REFUSED	2015/16 TOTAL DECISIONS
Exclusion	19	4	4	27
Inclusion	3	-	-	3
Non-Farm use	45	7	-	52
Subdivision	-	62	22	84
Place Fill & Remove Soil	-	11	-	11
Transportation, Utility & Recreation	5	3	-	8
TOTAL	**58**	**87**	**26**	**185**

Hectares Included and Excluded

	REFUSED	APPROVED	
		Conditional	Final
Inclusion Area	-	-	169
Exclusion Area	217	28	388

Hectares Included by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	169	2	-	167	-
Conditional Approval	-	-	-	-	-
Total	**169**	**2**	**-**	**167**	**-**

Hectares Excluded by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	388	72	12	304	-
Conditional Approval	28	6	16	6	-
Total	**416**	**78**	**28**	**310**	**-**

Plans and Bylaws Reviewed North Panel Area

CATEGORY	AREA	NUMBER
Growth Strategies/ Official Community Plans	North Peace Fringe Area Official Community Plan- District of Chetwynd OCP	2
Implementing Bylaws	District of Chetwynd Zoning Bylaw	1
Delegation Agreement	Fraser Fort George Delegation Agreement Audit	1
TOTAL		4

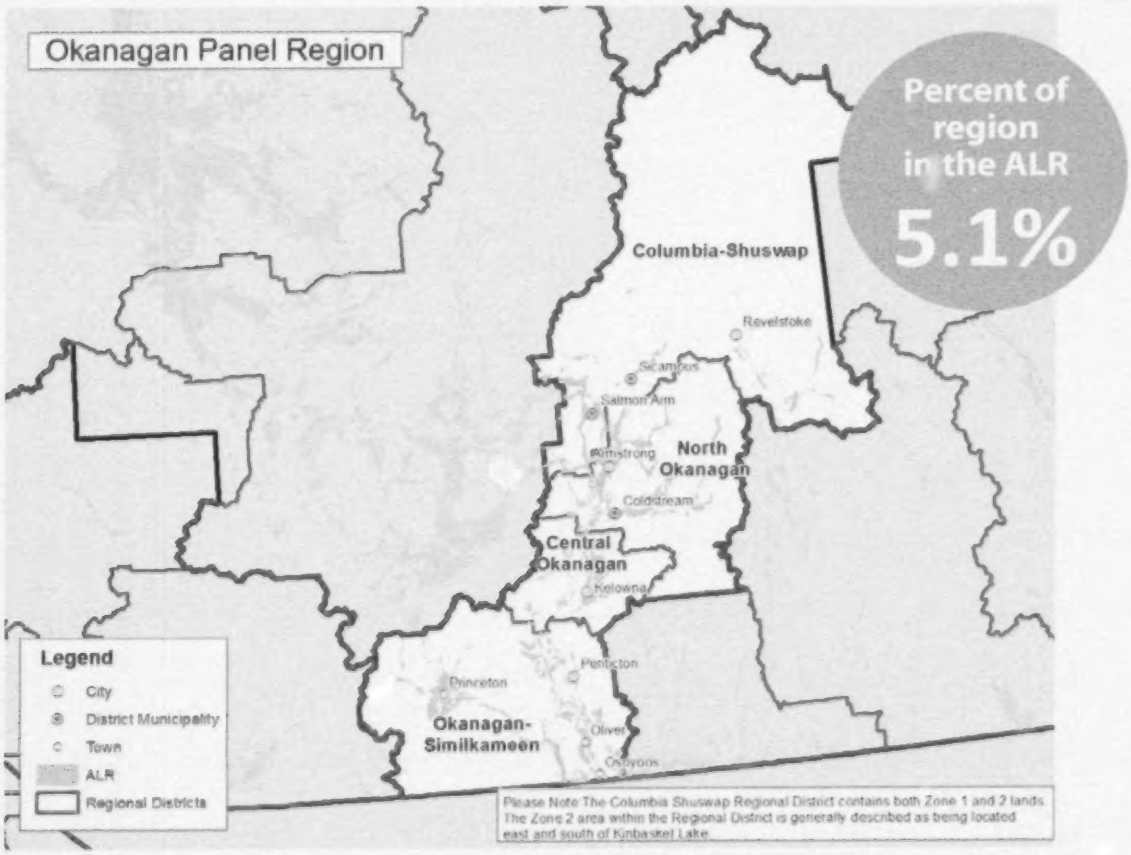
Okanagan Panel

The Okanagan Panel region encompasses the Okanagan and Similkameen Valleys, the Columbia Shuswap and Princeton areas. The region includes the Central Okanagan, Columbia Shuswap (except Golden area), North Okanagan and Okanagan-Similkameen Regional Districts.

Settlements:

- Princeton
- Osoyoos
- Oliver
- Kelowna
- Vernon
- Salmon Arm
- Revelstoke
- Penticton

Total ALR area in panel region 225,000 hectares



Okanagan Panel

April 1, 2015 - March 31, 2016

Number of Applications Decided by Component Type (Includes All Types of Decisions)

	APPROVED WITHOUT CONDITIONS	APPROVED WITH CONDITIONS	REFUSED	2015/16 TOTAL DECISIONS
Exclusion	4	6	8	18
Inclusion	2	-	1	3
Non-Farm use	3	5	8	16
Subdivision	-	12	12	24
Place Fill & Remove Soil	-	5	-	5
Transportation, Utility & Recreation	1	6	-	7
TOTAL	**10**	**34**	**29**	**73**

Hectares Included and Excluded

	REFUSED	APPROVED	
		Conditional	Final
Inclusion Area	36	-	4
Exclusion Area	48	12	11

Hectares Included by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	4	2	-	2	-
Conditional Approval	-	-	-	-	-
Total	**4**	**2**	**-**	**2**	**-**

Hectares Excluded by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	11	-	2	9	-
Conditional Approval	12	12	-	-	-
Total	**23**	**12**	**2**	**9**	**-**

Plans and Bylaws Reviewed Okanagan Panel Area

CATEGORY	AREA	NUMBER
Growth Strategies/ Official Community Plans	Regional District of North Okanagan - Electoral Area F OCP Regional District of North Okanagan - Kingfisher Local Plan Area District of Coldstrem OCP	3
Implementing Bylaws	City of Armstrong Zoning Bylaw City of West Kelowna Zoning Bylaw	2
TOTAL		5

South Coast Panel

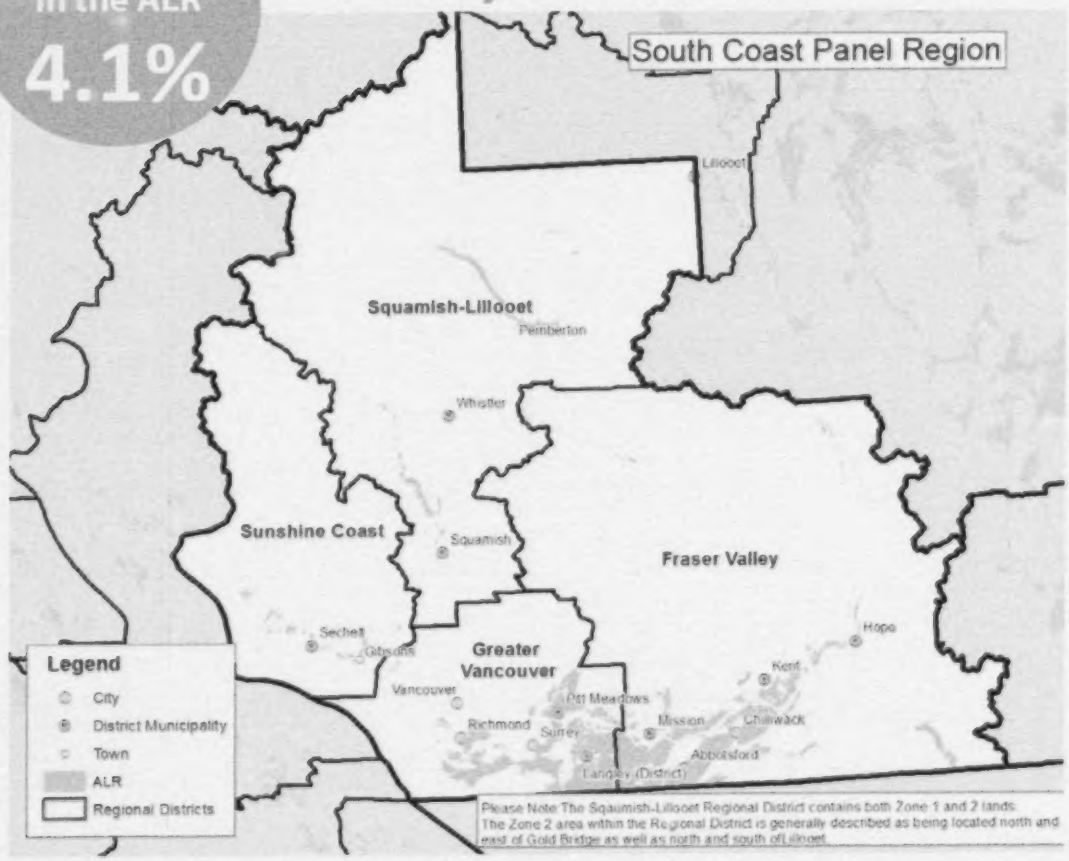
The South Coast Panel region encompasses the lower mainland region of BC from Hope and environs to the Fraser River delta and north to the Sunshine Coast and the Squamish River and Pemberton valleys. The region includes the Fraser Valley, Metro Vancouver, Squamish-Lillooet (except Lillooet area) and Sunshine Coast Regional Districts.

Settlements:

- Sechelt
- Richmond
- Surrey
- Langley
- Pitt Meadows
- Maple Ridge
- Abbotsford
- Chilliwack
- Squamish
- Pemberton
- Mission
- Vancouver

Percent of region in the ALR
4.1%

Total ALR area in panel region
148,000 hectares



South Coast Panel

April 1, 2015 - March 31, 2016

Number of Applications Decided by Component Type (Includes All Types of Decisions)

	APPROVED WITHOUT CONDITIONS	APPROVED WITH CONDITIONS	REFUSED	2015/16 TOTAL DECISIONS
Exclusion	7	1	23	31
Inclusion	-	-	-	-
Non-Farm use	8	5	16	29
Subdivision	-	20	10	30
Place Fill & Remove Soil	1	11	2	14
Transportation, Utility & Recreation	4	1	-	5
TOTAL	**20**	**38**	**51**	**109**

Hectares Included and Excluded

	REFUSED	APPROVED	
		Conditional	Final
Inclusion Area	-	-	-
Exclusion Area	92	14	8

Hectares Included by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	-	-	-	-	-
Conditional Approval	-	-	-	-	-
Total	-	-	-	-	-

Hectares Excluded by Agriculture Capability All Approval Types (Conditional, Final & Completed)

	TOTAL	PRIME	MIXED	SECONDARY	UNCLASSED
Final Decided	8	8	-	-	-
Conditional Approval	14	14	-	-	-
Total	**22**	**22**	-	-	-

Plans and Bylaws Reviewed South Coast Panel Area

CATEGORY	AREA	NUMBER
Growth Strategies/ Official Community Plans	• FVRD Regional Growth Strategy • Pemberton OCP • Metro RGS map corrections • Aldergrove Community Plan	4
Implementing Bylaws	• Sunshine Coast Zoning • Kent Zoning policies • Surrey Zoning corrections	3

See page 25 for continued Plans and Bylaws Reviewed South Coast Panel Area

Plans and Bylaws Reviewed South Coast Panel Area continued

CATEGORY	AREA	NUMBER
Transportation Plans	• George Massey Tunnel Replacement • SFPR Soil Remediation • Abbotsford Road Network • Port Coquitlam Road Network • Township of Langley Road Network • Truck Staging, Delta • TFN Road Network • Pemberton Road Planning	8
Parks and Recreation Plans	• Pemberton Park Planning • Delta Millennium Trail • Regional Park in Delta	3
Ariculture plans	• Sunshine Coast • Maple Ridge Update • Port Coquitlam ALR policies	3
Other Land Use Plans	• Township of Langly MOU • Burns Bog Planning, Delta • Floodplan Planning, Surrey • Fraser Highway Land Use, Abbotsford • West Abbotsford Boundary Review • Regional Food System Action Plan • Richmond Backlands update	7
TOTAL		28

Reconsideration of Decisions

There are two types of reconsiderations that can be initiated under the *Agricultural Land Commission Act*. The first type of reconsideration can be requested by an affected person, or by the Commission, pursuant to section 33(1) of the *ALC Act*. The second type of reconsideration can only be directed by the Chair of the Commission pursuant to section 33.1 of the *ALC Act*.

Section 33(1) of the *ALC Act* Reconsideration Request

Regardless of whether an application is refused or approved, a person affected by the decision may request the Commission to reconsider its decision. An affected person may make a reconsideration request pursuant to section 33(1) of the *ALC Act*. The affected person may be the applicant or another party.

The purpose of section 33(1) is to allow the Commission to revisit decisions if they were fundamentally flawed due to consideration of incorrect information or, if subsequent to a decision, compelling information is provided that would have significantly contributed to the Commission's understanding of the facts at the time of its original deliberation. Section 33(1) is not intended to provide an applicant or other party with an opportunity to periodically revisit the Commission's decision in perpetuity. Furthermore, a revised proposal does not constitute new information.

The Executive Committee considered 63 reconsideration requests under Section 33(1) of the *Act* in 2015-16.

Section 33.1 of the *ALC Act* Reconsideration Directed by the *ALC* Chair

Regardless of whether an application is refused or approved, the ALC Chair may direct the Executive Committee to reconsider an application decision made by a Panel pursuant to section 33.1 of the *ALC Act*.

The purpose of section 33.1 is to provide the Chair with oversight to ensure consistency of decision considerations according to the *ALC Act*. The Chair has the authority to direct the Executive Committee to reconsider a decision that the Chair considers may not fulfill the purposes of the Commission set out in section 6, or adequately consider section 4.3 of the *ALC Act*.

Subsequent to a decision being released to the applicant, the Chair is given 60 days to review a decision and direct the Executive Committee to reconsider the application. At the Chair's direction, the Executive Committee must review the application and then confirm, reverse, or vary the decision.

The Executive Committee reconsidered 10 application decisions under Section 33.1 of the *Act* in 2015-16.

Compliance and Enforcement

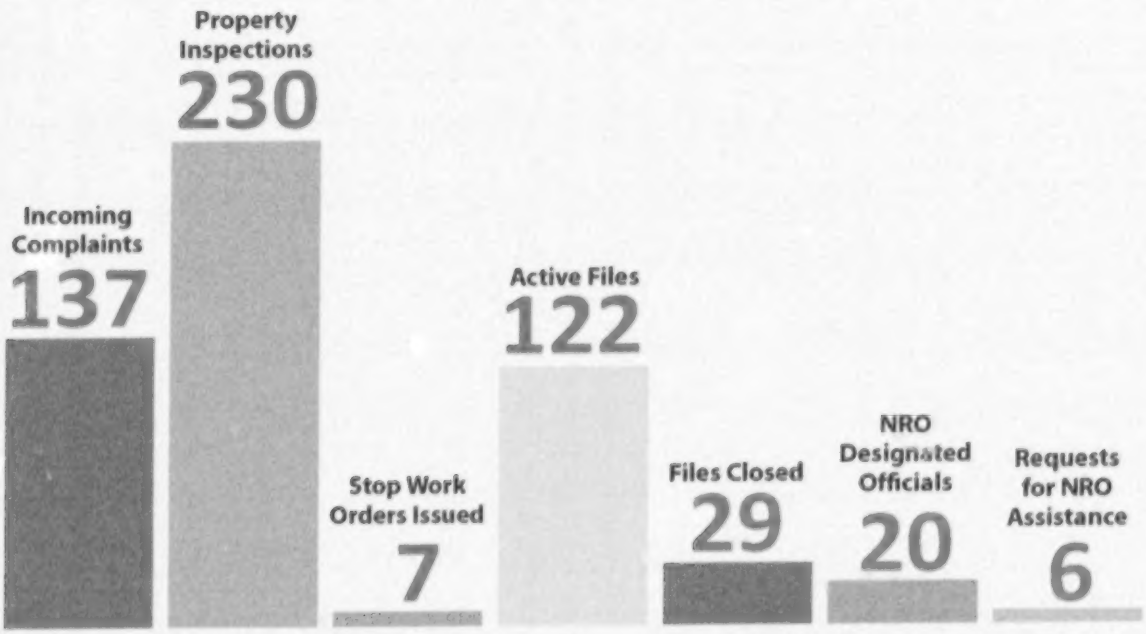
The Compliance and Enforcement (C&E) division receives complaint reports of suspected contraventions, carries out site inspections, investigates alleged contraventions and takes enforcement actions when necessary throughout the ALR in British Columbia. The C&E program continues to work collaboratively with its local government partners to address issues pertaining to the ALR within their communities. At the Provincial level, Natural Resource Officers (NRO)who have been designated as officials under the ALC Act for inspectional services are utilized when available to assist our work in the more expansive areas of the province.

April 2015 to March 2016 Activities of the Compliance and Enforcement Program

Hiring during the year increased the team to three C&E Officers and a Coordinator. The team continued to be challenged to meet a demanding workload while training new staff and developing and implementing needed operational standards procedures.

An enhanced component on the ALC's website is dedicated to the topic of compliance and enforcement, providing information about the role of the ALC C&E team. A major improvement of operations was accomplished by adding a feature that allows individuals and other agencies to report misuse of ALR land by submitting a 'Compliance and Enforcement Land Use Activity Form'. The form is intended to provide a means to track incoming complaints of unauthorized activity on ALR land in a consistent manner and greatly improves the reliability of reporting out. Information gathered within the form is then systematically processed to record, validate, prioritize and respond to potentially unlawful activity.

Compliance and Enforcement Statistics 2015-16



Policy & Planning

Policy

Policy work at the Commission is often driven by need to clarify and interpret provincial regulations. In response to the new regulations brought into effect May and June 2015, the ALC embarked on a review of its interpretive policies, most of which had not been reviewed or amended since their adoption in 2003. The Commission released 24 amended and or new policies in early 2016. All ALC policies are available on the ALC's website.

Land Use Planning

Approximately 147 local governments have lands in the Agricultural Land Reserve (ALR); some having large areas of ALR land in their jurisdiction, others have very little. The Agricultural Land Commission (ALC) supports coordinated and collaborative planning with local governments to ensure agricultural lands are protected and available to provide food and other agricultural products for generations to come.

While the ALC is ultimately responsible for the administration of the ALR; local government bylaws, land use plans and farm use policies are essential, complementary components, helping to achieve the objectives of the ALR.

A number of statutory requirements enable local governments and the ALC to collaborate in protecting ALR land.

The *ALC Act* mandates the ALC to work with local governments to accommodate, support and encourage farming on ALR lands. The *ALC Act* also requires local governments to ensure its bylaws (growth strategies, official community plans and zoning bylaws, etc.) are consistent with the *ALC Act*.

The *Local Government Act* requires community plans affecting the ALR be forwarded to the ALC after 1st reading & before public hearing for review and comment to ensure consistency with the *ALC Act*.

Plans and Bylaws Reviewed Summary 2015/16

	INTERIOR	ISLAND	KOOTENAY	NORTH	OKANAGAN	SOUTH COAST
Growth Strategies/ Official Community Plans	2	1	2	2	3	4
Implementing Bylaws	1	10	2	1	2	3
Transportation Plans						8
Agriculture Plans						3
Parks & Recreation Plans						3
Other Land Use Plans	1					7
Delegation Agreements			2	1		
TOTAL	**4**	**11**	**6**	**4**	**5**	**28**

Delegation Agreements

Delegation is the authorization by the ALC to a local government or an authority to act on its behalf to make use and subdivision decisions in the ALR under section 26 of the *ALC Act*.

Delegation involves a primary statutory body entrusted by the legislature with the exercise of a statutory power, conferring upon another decision maker (the "Delegate") the power to make certain decisions under the statute. As such, the decision of the Delegate is treated as if it were the decision of the original decision maker. To enter into a delegation, a body such as the ALC must have confidence that the proposed delegate is ready, willing and able to carry out the statutory mandate conferred under the enabling statute. This confidence means ensuring the proposed delegate understands and is prepared to ensure complete compliance with the statutory processes and purposes of the *ALC Act*.

Delegates are not authorized to make decisions regarding the boundary of the ALR and are therefore only delegated decision making authority with regard to subdivision and non-farm use within the ALR.

The ALC currently has agreements with the : Oil & Gas Commission for non farm use of ALR land in the Peace River Regional District and Northern Rockies Regional District for oil and gas activities or ancillary activities; and with The Regional District of Fraser - Fort George for subdivision and non-farm use.

The delegation agreement with the Regional District of East Kootnay has expired and is under review for possible amendment and update.

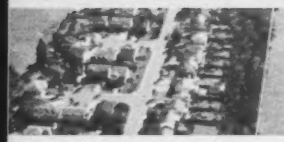
Delegated Agreement Decision Statistics

Regional District of Fraser-Fort George

- In the 2015/16 the Regional District made 6 decisions under the delegated decision-making authority.

Oil and Gas Commission

- In 2015/16 a total of 237 oil and gas activities on ALR lands were exempted from making an application pursuant to the delegation agreement with the Oil and Gas Commission based on reporting and reclamation conditions.
- The OGC received 110 Schedule "B" post reclamation reports where ALR lands were no longer needed for oil and gas use.
- The OGC Commissioner 26 non-farm use application decisions under the *ALC Act*.
- 1,793 inspections were carried out in 2015/16 by the OGC.



ALR Boundary Review

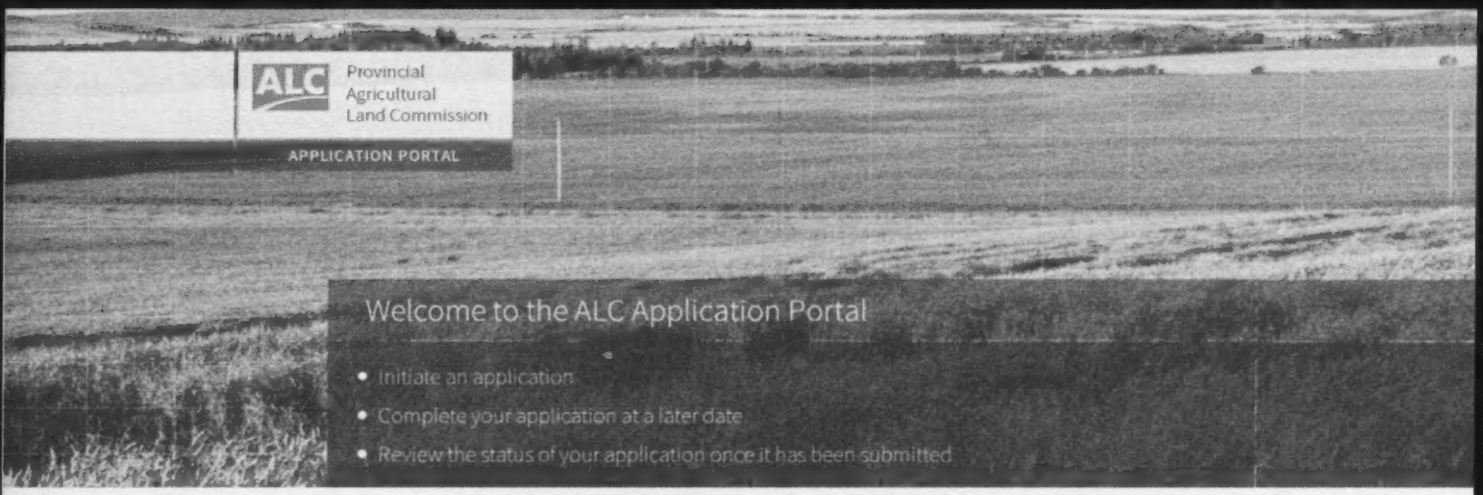
The purpose of an ALR boundary review is to refine the ALR boundaries in a particular geographic area so that they encompass land that is both capable and suitable for agricultural use.

Responsibility for revising the ALR's boundaries rests with the ALC. This role, which the ALC may exercise proactively by way of boundary reviews, is linked directly to the ALC's responsibility to preserve agricultural land. A boundary review is a superior method for "fine-tuning" ALR boundaries than adjudicating hundreds of disparate applications. The ALR will have greater integrity, and fewer applications will be generated, where boundaries are proactively reviewed to assess whether land is, or is not, appropriately designated as ALR land.

Multiple reviews in the Regional District of East Kootenay region of the province have been running concurrently over the past fiscal year in the following electoral areas, as summarized below.

Review Area 2- Electoral Area B: Specific areas of interest for a boundary review were identified by ALC staff in 2014. In May 2015, ALC Commissioners, ALC staff and Ministry of Agriculture staff conducted fieldwork in Electoral Area B by visually assessing the areas of interest. A public hearing was held in Jaffray on November 18, 2015. On February 25, 2016, the Full Commission received the proposal in the context of the information gathered during the public hearing and directed staff to prepare the paper work necessary to complete the initiative (save and accept the Meadowbrook Area around Kimberley which the Commission identified for further review).

Review Area 3 - Electoral Area E: Specific areas of interest for a boundary review were identified by ALC staff in 2014. In May 2015, ALC Commissioners, ALC staff and Ministry of Agriculture staff conducted fieldwork in Electoral Area E by visually assessing the areas of interest. A public hearing was held in Wasa on November 19, 2015. On February 25, 2016, the Full Commission received the proposal in the context of the information gathered during the public hearing and directed staff to prepare the paper work necessary to complete the initiative.


ALC
Provincial
Agricultural
Land Commission
APPLICATION PORTAL
Welcome to the ALC Application Portal
• Initiate an application
• Complete your application at a later date
• Review the status of your application once it has been submitted

Online Application Portal

The Agricultural Land Commission (ALC) launched its new online application system called the Application Portal on July 15, 2015. The Application Portal provides a streamlined web-based application process for applicants, local governments and the public.

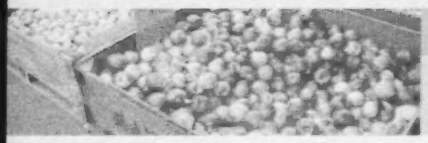
The Application Portal is accessed by applicants and local governments via the ALC website, where links to application templates, sample applications, and user-guide documentation is available for all application types. Applicants are responsible for uploading their applications into the system for local government review and processing prior to the application being received by the ALC, in accordance with the *Agricultural Land Commission Act*.

The first phase of the Application Portal launched in 2015 allows applicants, their agents, and local governments to view the current status of their applications throughout the application process and allows the general public to access application decisions once they are released.

Benefits of the Online Application Portal:

- The system is available to users 24/7 and allows users to submit applications on their own time, check application status and other information relevant to their application;
- Provides for greater processing efficiencies and direct upload of application information into ALC's database;
- Information links are available throughout the online application and on the ALC's website to assist with the entry process;
- Improved quality and detail in the information provided to Commissioners for their consideration;
- Generates automatic email notification regarding application status for local governments, applicants and/ or their agents;

Anyone having technical problems with the Application Portal should contact the ALC directly at 604-868-9279.



Performance Measures

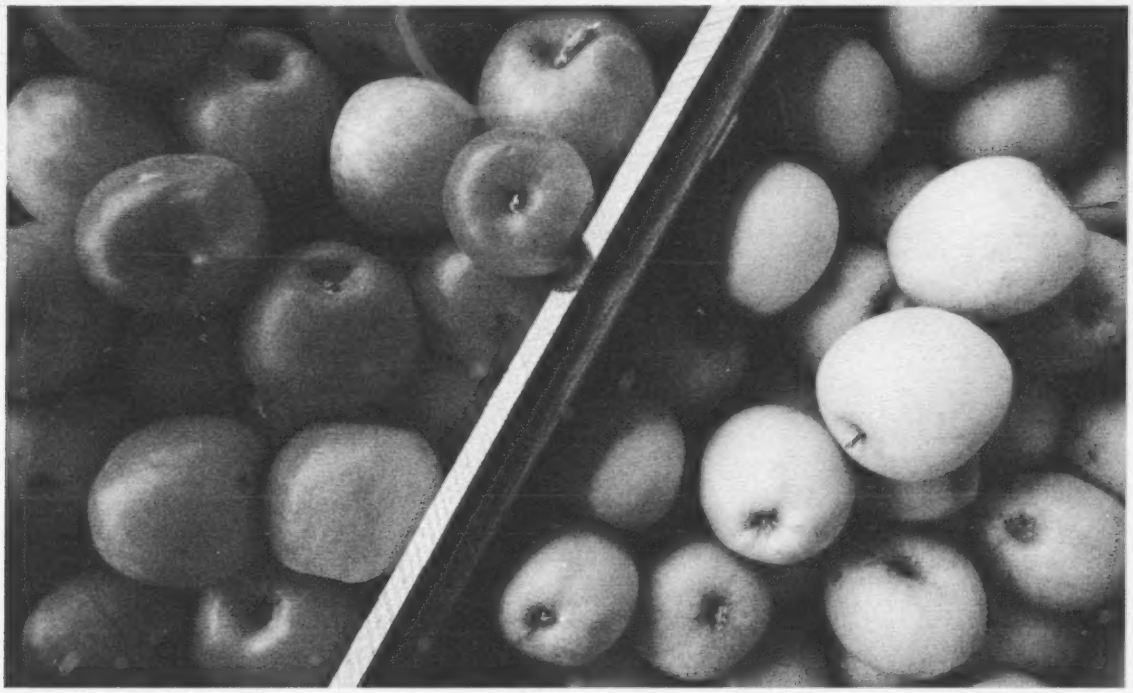
On March 3, 2016, by Ministerial Order M072, the Minister of Agriculture provided the ALC with expectations regarding timelines and performance measures for the processing of applications pursuant to the Agricultural Land Commission Act, as well as , several other initiatives related to improving operational efficiency and effectiveness, that take effect April 1, 2016.

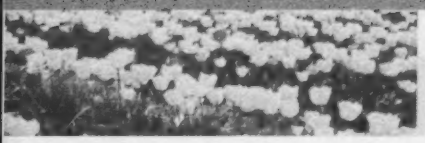
Much of the later part of the 2015-2016 fiscal year was spent reviewing and revision current application processes to ensure the ALC would be able to process applications in accordance with the Order and be able to track and report out on its performance against the targets established by the Order.

The order requires:

- Acknowledgement of applications as complete and or incomplete within 5 business days to receipt for 100% of all applications received by the ALC; and
- Communication of the majority of ALC decisions in writing (electronic or mail), within 60 business days of an application being received (not including the time associated with local government component of the process) for 90% of all completed applications.

For more information on the Order or the processing of applications please refer to the ALC's website.





Cumulative Panel Inclusion/Exclusion Statistics

April 1, 2015 - March 31, 2016

Hectares Included and Excluded and Net Change - Outright, Conditional Approved and Completed Conditions*

PANEL REGION	INCLUSION		EXCLUSION		NET CHANGE
	APPROVED	REFUSED	APPROVED	REFUSED	
Interior	8	-	-	31	+8
Island	5	15	10	3	-5
Kootenay	7	-	89	-	-82
North	169	-	416	217	-247
Okanagan	4	36	23	48	-19
South Coast	-	-	22	92	-22
TOTAL	**193**	**51**	**560**	**391**	**-367**

Agriculture Capability of Areas Approved for Inclusion in the ALR 2015/16 (Hectares) (Includes All Types of Decisions)

PANEL REGION	AREA				
	Included	Prime	Mixed	Secondary	Unclassed
Interior	8	-	-	8	-
Island	5	-	1	4	-
Kootenay	7	-	7	-	-
North	169	2	-	167	-
Okanagan	4	2	-	2	-
South Coast	-	-	-	-	-
TOTAL	**193**	**4**	**8**	**181**	**-**

Agriculture Capability of Area Approved for Exclusion from the ALR 2015/16 (Hectares) (Includes All Types of Decisions

PANEL REGION	AREA				
	Included	Prime	Mixed	Secondary	Unclassed
Interior	-	-	-	-	-
Island	10	5	5	-	-
Kootenay	89	-	75	14	-
North	416	78	28	310	-
Okanagan	23	12	2	9	-
South Coast	22	22	-	-	-
TOTAL	**560**	**117**	**110**	**333**	**-**

New Applications Received Previous Five Years

	2011/12	2012/13	2013/14	2014/15	2015/16
Number of Applications Received	448	447	476	408	361

This table reflects only new applications received by the Commission. It does not reflect workload as the following work is not accounted for: application reconsiderations, land use planning and notices of intent for placement of fill and soil removal.

ALR Change by Commission Decision in Regional District Areas
(INCLUDED AND EXCLUDED)

Fiscal 2015 - 20116
April 1, 2015 - March 31, 2016

Regional District	OUTRIGHT & CONDITIONAL DECISIONS	
	Inclusion Area (ha)*	Exclusion Area (ha)*
Bulkley Nechako	-	12
Capital	-	7
Cariboo	8	-
Central Kootenay	7	6
Central Okanagan	-	11
Columbia Shuswap	3	11
Comox Valley	4	-
Cowichan Valley	1	-
East Kootenay	-	57
Fraser-Fort George	158	17
Fraser Valley	-	2
Metro Vancouver	-	20
Kitimat Stikine	-	34
Kootenay Boundary	-	26
North Okanagan	2	-
Okanagan Similkameen	-	1
Peace River	11	354
Strathcona	-	3
Total	**193**	**561**

* Outright approval, conditional approval + completed conditional approval.

Archived ALC Cumulative Statistics Table 1974 – March 31, 2012

See report appendix for ALC cumulative inclusion and exclusion statistics by calendar year. This table covers the period of time from ALR designation in 1974 to the end of the first quarter 2012. The figures reflect data from the ALC database. Figures from 1974 to 2008 include final and conditional decided Commission decisions. From 2009 to 2012 figures reflect only final application decisions. ALR area at designation of the reserve was calculated using manual methods (Dot Matrix or electronic planimeter). Estimated net change in these tables is the difference between Column 2 and 3.

ALC Decisions Fiscal 2015 - 2016 (# of decisions)

			Status			
Zone	Region	Type	Approved without Conditions	Approved with Conditions	Refused	2015-2016 Total Decisions
Zone 1	Island	Exclusion		3	2	16
		Inclusion	2	-	1	3
		Non-Farm Use	6	7	3	17
		Subdivision	-	12	10	22
		Place Fill & Remove Soil	-	1	-	1
		Transportation, Utility & Recreation	2	9	1	12
		Total	**13**	**31**	**17**	**61**
	Okanagan	Exclusion	4	6	8	18
		Inclusion	2	-	1	3
		Non-Farm Use	3	5	8	16
		Subdivision	-	12	12	24
		Place Fill & Remove Soil	-	5	-	5
		Transportation, Utility & Recreation	1	6	-	7
		Total	**10**	**34**	**29**	**73**
	South Coast	Exclusion	7	1	23	31
		Inclusion	-	-	-	0
		Non-Farm Use	8	5	16	29
		Subdivision	-	20	10	30
		Place Fill & Remove Soil	1	11	2	14
		Transportation, Utility & Recreation	4	1	-	5
		Total	**20**	**38**	**51**	**109**
Zone 2	Kootenay	Exclusion	5	1	-	6
		Inclusion	1	-	-	1
		Non-Farm Use	5	4	3	12
		Subdivision	-	18	5	23
		Place Fill & Remove Soil	-	1	-	1
		Transportation, Utility & Recreation	3	1	-	4
		Total	**14**	**25**	**8**	**47**
	Interior	Exclusion	-	-	2	2
		Inclusion	1	-	-	1
		Non-Farm Use	2	4	-	6
		Subdivision	-	6	15	21
		Place Fill & Remove Soil	1	5	-	6
		Transportation, Utility & Recreation	6	5	-	11
		Total	**10**	**20**	**17**	**47**
	North	Exclusion	19	4	4	27
		Inclusion	3	-	-	3
		Non-Farm Use	45	7	-	52
		Subdivision	-	62	22	84
		Place Fill & Remove Soil	-	11	-	11
		Transportation, Utility & Recreation	5	3	-	8
		Total	**58**	**87**	**26**	**185**
			125	**235**	**148**	**522**

* Information based on applications decided between April 1, 2015 to March 31, 2016 (Fiscal 2015-2016).

ALC Decisions by Area for Fiscal 2015-2016

			All figures are in hectares			
			Status			Year
Zone	Region	Type	Approved without Conditions	Approved with Conditions	Refused	2015-2016 Total Decisions
Zone 1	Island	Exclusion	6	4	3	13
		Inclusion	5	-	15	20
		Non-Farm Use	1	6	3	10
		Place Fill & Remove Soil	-	-	-	0
		Transportation, Utility & Recreation	1	28	-	29
		Total	**14**	**38**	**21**	**72**
	Okanagan	Exclusion	11	38	48	70
		Inclusion	4	-	36	40
		Non-Farm Use	2	23	3	28
		Place Fill & Remove Soil	-	20	-	20
		Transportation, Utility & Recreation	3	14	-	17
		Total	**20**	**68**	**87**	**175**
	South Coast	Exclusion	8	14	92	115
		Inclusion	-	-	-	0
		Non-Farm Use	9	125	19	153
		Place Fill & Remove Soil	1	34	10	45
		Transportation, Utility & Recreation	1	5	-	5
		Total	**19**	**178**	**120**	**317**
Zone 2	Kootenay	Exclusion	32	57	-	89
		Inclusion	7	-	-	7
		Non-Farm Use	23	87	2	112
		Place Fill & Remove Soil	-	3	-	3
		Transportation, Utility & Recreation	1	-	-	1
		Total	**63**	**146**	**2**	**210**
	Interior	Exclusion	-	-	31	31
		Inclusion	8	-	-	8
		Non-Farm Use	16	16	-	32
		Place Fill & Remove Soil	-	24	-	24
		Transportation, Utility & Recreation	5	4	-	9
		Total	**29**	**44**	**31**	**104**
	North	Exclusion	388	28	217	633
		Inclusion	169	-	-	169
		Non-Farm Use**	159	22	1	182
		Place Fill & Remove Soil	-	36	-	36
		Transportation, Utility & Recreation	26	37	-	63
		Total	**742**	**123**	**218**	**1,082**
			886	**597**	**478**	**1,960**

* Information based on applications decided between April 1, 2015 to March 31, 2016 (Fiscal 2015-2016).
** Figures do not include some oil and gas activity decision data. An update will be posted at a later date.

Cumulative GIS ALR Change - Included & Excluded

April 1, 2015 - March 31, 2016

FISCAL YEAR	INCLUSIONS (ha)	EXCLUSIONS (ha)	NET CHANGE (ha)	CURRENT TOTAL ALR (hectares)
April 1, 2012				4,623,289
2012/13	238	1,709	-1,471	4,621,818
2013/14	1,296	1,957	-662	4,621,156
2014/15	792	1,090	-298	4,620,858
2015/16	79	4,283*	-4,204	4,616,654
Total	**2,405**	**9,039**	**-6,634**	

Cumulative GIS ALR Change Notations

All figures calculated using GIS data are based on final Completion Date

On occasion missed application boundary changes may be discovered and the ALR boundary is amended accordingly.

GIS figures reflect non-application related ALR boundary changes such as those made by the Provincial government via legislation or regulation. Amendments to the ALR boundary that are not tracked due to their frequency and nature, and/or cadastre changes due to updates and other also ciated.

Non-Application Related Boundary Changes

*Site C Hydro Electric Project – ALR Exclusion by Order in Council 148

Under Section 7 of the Environment and Land Use Act, the Lieutenant Governor in Council has the authority to exclude lands from the Agricultural Land Reserve (ALR) on the recommendation of the Environment and Land Use Committee (ELUC). ELUC approved the recommendation to remove the lands in mid-March 2015.

In April 2015, Order in Council 148 "permanently" excluded 2,775 hectares and "temporarily" excluded an additional 941 hectares of land from the ALR April 8, 2015. The total area excluded from the ALR for Site C development is 3,716 hectares. The excluded area is reflected in the GIS ALR Change table statistics for 2015/16 but is not recorded as a decision of the ALC panel or the Commission.

2015 / 2016 Agricultural Land Commission Financial Report

Description	Base Budget	Year End Actual	Variance (Over) / Under Budget
Salaries	$1,893,000	$1,533,380	$359,620
Benefits	469,000	378,369	90,631
Commission	387,000	529,141	*(142,141)*
Staff Travel	35,000	64,427	*(29,427)*
Prof Services - Contracts	49,000	67,869	*(18,869)*
Legal Contracts	284,000	298,684	*(14,684)*
IT expenses	236,000	165,734	70,266
Office Supplies & Business Expenses	49,000	66,488	*(17,488)*
Materials & Supplies	2,000	5,655	*(3,655)*
Building Occupancy Charges	0	6,787	*(6,787)*
Misc Expenses	2,000	0	2,000
Recoveries	0	(2,048)	2,048
TOTAL	**$3,406,000**	**$3,114,486**	**$291,514**

Appendix: ALR Included & Excluded By Calendar Year (Database)

1974 – March 31, 2012

CALENDAR YEAR	INCLUSIONS (hectares)	EXCLUSIONS (hectares)	NET FIGURE (hectares)	CURRENT ALR AREA (hectares)
At Designation				4,717,519
1974	0	628	-628	4,716,891
1975	2,561	3,193	-632	4,716,259
1976	517	2,365	-1,848	4,714,411
1977	4,300	18,924	-14,624	4,699,787
1978	19,141	10,524	8,617	4,708,403
1979	3,252	9,758	-6,507	4,701,897
1980	242	6,131	-5,889	4,696,008
1981	1,275	16,474	-15,199	4,680,809
1982	3,634	6,212	-2,578	4,678,231
1983	6,233	4,228	2,005	4,680,235
1984	7,545	5,047	2,498	4,682,733
1985	19,440	9,229	10,211	4,692,944
1986	1,807	4,662	-2,855	4,690,089
1987	5,152	2,868	2,283	4,692,373
1988	6,714	1,238	5,476	4,697,848
1989	947	1,180	-233	4,697,615
1990	10,680	2,195	8,485	4,706,100
1991	768	2,075	-1,306	4,704,794
1992	3	1,081	-1,078	4,703,716
1993	5,843	823	5,020	4,708,736
1994	2,877	1,642	1,235	4,709,971
1995	1,095	1,171	-75	4,709,896
1996	1,868	1,574	294	4,710,190
1997	869	5,252	-4,383	4,705,808
1998	678	2,861	-2,184	4,703,624
1999	1,961	1,864	97	4,703,721
2000	23,204	5,797	17,407	4,721,127
2001	973	553	420	4,721,548
2002	41,792	1,530	40,262	4,761,809
2003	428	746	-318	4,761,491
2004	1,559	1,497	62	4,761,553
2005	1,670	2,241	-572	4,760,981
2006	977	531	446	4,761,428
2007	1,263	1,628	-365	4,761,063
2008	801	1,457	-655	4,760,408
2009	1,385	2,172	-787	4,759,620
2010	658	555	103	4,759,723
2011	682	632	50	4,759,773
1ST Q 2012	16	6	10	4,759,783
Total	**184,810**	**142,544**	**+42,266**	**4,759,938**

Note: (1) All figures between 1974 and 2008 include both final decided and conditionally approved decisions.
(2) Figures from 2009 forward include only Final Approved and Completed Conditions Decisions.
(3) ALR area at designation is based on manual mapping method (Dot Matrix or electronic planimeter 1974).

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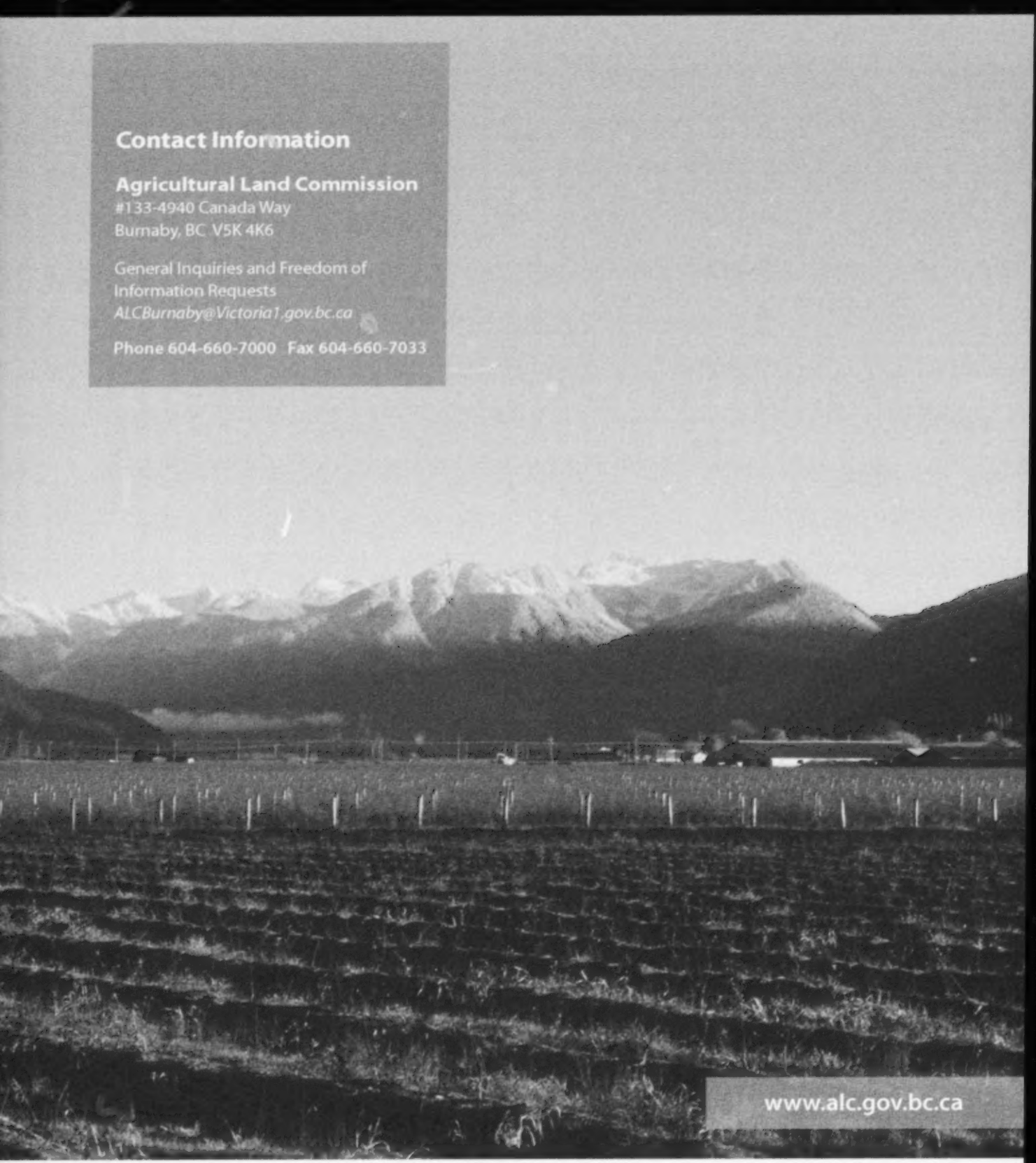

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